

PUBLIC HEARING
AUGUST 12, 2002

PUBLIC HEARINGS were held on Monday, August 12, 2002, at 6:15 p.m. in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, South Carolina, to solicit public comment, written or oral, with respect to Bill No. **02-33**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Low Country Pines, LLC, off Old Dairy Road, Summerville, TMS #220-00-02-056 (11.5 acres), TMS #220-00-02-057 (47.8 acres), TMS #220-00-02-038 (19.6 acres), TMS #220-00-02-091 (6 acres), TMS #220-00-02-059 (18.97 acres), TMS #220-00-02-079 (2.04 acres), TMS #220-00-02-108 (1.02 acres), TMS #220-00-02-076 (1.02 acres), TMS #220-00-02-107 (1.02 acres), TMS #220-00-02-073 (1.98 acres), TMS #220-00-02-071 (1.92 acres), TMS #220-00-02-106 (1 acre), TMS #220-00-02-066 (1 acre), TMS #220-00-02-063 (1 acre), TMS #220-00-02-105 (1 acre), TMS #220-00-02-049 (1.92 acres), TMS #220-00-02-001 (1.57 acre portion of 5.2 acres total), TMS #220-00-02-115 (1 acre), TMS #220-00-02-041 (4.27 acres), TMS #220-00-02-088 (2 acres), TMS #220-00-02-040 (4.86 acres), TMS #220-00-02-036 (2.63 acres), TMS #220-00-02-035 (7.46 acres), and off Beagle Road, TMS #221-00-00-008 (10.2 acres), TMS #221-00-00-007 (2.93 acres), TMS #221-00-00-006 (7.25 acres), from F-1, Agricultural District, to HI, Heavy Industrial District. Council District No. 7.

Present: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Steve M. Vaughn, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr. Councilmember District No. 7; Council District No. 8 (Vacant); Mr. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk to County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building and the Berkeley County Library, published in THE MONITOR, and THE HANAHAN NEWS on, July 17, 2002, as evidenced by attached copy of Affidavits of Publication, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order and stated this Public Hearing was being held to solicit public comment, written or oral on Bill No. 02-33, Low Country Pines, LLC, off Old Dairy Road.

At this time Chairman Rozier relinquished the chair to Vice Chairman Spooner and addressed Council from a public aspect.

Mr. James H. Rozier of 1610 Dennis Boulevard, Moncks Corner stated that on July 17 he along with Caldwell Pinckney, John Scarborough, Robbie Metts and a few others met with the members of the Old Dairy Road Community and made a list of the concerns they have. He stated Scott Dirks from the Department of Commerce was also present and Jimmy Stewart from the State Railroad joined them.

The concerns were as follows: 1) Who would be responsible for repairing property if vibrations caused damages? 2) Could the railroad switching yard be placed in another location? 3) The danger of the switchyard to children and their safety. 4) How much noise and light would be generated by the track? 5) Could the tracks be relocated and do they need to be close to the houses? 6) What property must be condemned to make this happen? 7) Will there be any compensation for devaluation of property? 8) The buffer on Hodge road is inadequate, can there be more of a buffer? 9) How much space is required for a railroad switching yard and why does it have to be there and can the east port storage facility be an alternative? 10) What fencing would be placed around the railroad spur and how much noise would the trains generate?

Mr. Rozier stated he asked Mr. Dirks to do everything he could to resolve the problems.

The switching yard has been moved 1000 feet in the east port direction and the State has agreed to build an expensive 10 ft. tall sound barrier around it. Under the sound barrier would be a vibrating arresting sand trench. The rail cars would not exceed more than 20 miles an hour and would probably have no vibrations. The thick vegetated buffering will remain and if any of it is disturbed it would be replanted with plantation pines that would grow back very quickly. He stated he did not know of any way to keep children out of a rail yard without the help of parents. However, they would look at fencing that might discourage some of this.

Mr. Rozier explained the lights would be down focused and not spotlights that shine in all directions. They mainly would be in the switching yards and have very low intensity.

There is no intention of condemning properties; however, there are negotiations going on with a couple of people. He stated he didn't think there would be any devaluation of property.

Mr. Rozier returned to the Chair and opened the floor for Public input.

Mr. George Ryan of 109 Cherrywood Drive stated the railroad would be directly behind his home. His concerns were: He owns 10 acres and the railroad would devalue all of his property; his swimming pool would be damaged and who would be responsible for the expenses?

Chairman Rozier stated the State would have their lawyers look into it and get back with Mr. Ryan.

Mr. Chuck Howard of 108 Short Street, Dorchester County, stated the proposed switch station would be directly across from his home and other homes that are there in that neighborhood along Hodge. He was concerned about the clanking and knocking of the cars as they hook and unhook; the light pollution, even if they are faced down. He stated he was inclined to believe from the July 17 meeting that the switch station would be put more in the east port area, and not closer to it. Why is it not possible for the switch station to be on the property of the plant itself? Why does it have to be in the midst of two residential communities? If there is only a 75 ft. barrier and a 10 ft. wall that is across from his home, that is not going to be substantial enough in terms of what would happen in the transformation of that community to

prevent a devaluing. Mr. Howard stated his greatest concern is that if it had not been for his personal investigation on this issue, pursuing the application that was turned in by the proposed company, they would have not known about the five-track switch station.

Chairman Rozier stated Mr. Stewart from the State Railroad was present and suggested Mr. Howard direct his questions to him.

Ms. Catherine Ryan of 109 Cherrywood Drive stated she agreed with the comments previously made by Mr. Howard. She is concerned that there may be more than two trains a day once manufacturing starts. Would the train crossing be manned or would there be bars and lights? Would the wall to minimize the noise be on one side of the track?

Chairman Rozier stated the information received was that they did not plan to have more than two trains a day. However, the other questions could be deferred to Mr. Stewart.

Mr. Bob Johnson, 227 Countryside Way, Arcady Woods, stated that though they have not resolved all of the issues, the bulk of the people in the Arcady Woods and Clemson Terrace areas are in support of Project Bluebell because of the amount of jobs it would potentially bring to this area, the payroll, etc. If they could get the other issues resolved reasonably satisfactory to most of the people that live in the area they would be pretty happy with this whole development. He stated Mr. Rozier and his constituents have done a tremendous job in working with the community in trying to resolve the problems.

Mr. George LaBree, 217 Countryside Way, Arcady Woods, stated he would prefer that the railroad be moved to an industrial area. He stated Mr. Rozier and the others have worked diligently in putting a lot of the acoustics concerns to rest.

Chairman Rozier stated there is another location that the State is looking at.

Mr. Harold Dusenberry, 108 Cherrywood Drive, Arcady Woods, stated he lived next to Ford Motor Company and they stink. There are spray paint odors in the air and it pollutes the whole area. It belongs in the Bushy Park Area; there is a railroad track and the Cooper River where they could send cargo up the river.

Mr. George Ryan, 109 Cherrywood Drive, stated he agrees that there would be extreme fumes from this type plant. He stated Mr. Johnson lives two streets over from where the tracks are, for him that may be fine, but the tracks would be in his backyard.

Mr. Jimmy Stewart from the South Carolina Public Railway stated they planned to have a crossing with lights and gates.

Mr. Harold Jefferson, 1140 Old Galliard Road, stated he is a life long resident of Berkeley County and lives in District 7. They are aware of the impact that this project will have in terms of traffic, environment, etc. This County has had a good track record of attracting

industries but his personal concern is that County Council goes on record as making certain that if this project comes to fruition it would be an equal employment opportunity, specifically for those of District 7 who will bear the brunt of the impact.

There being no further public comments, Chairman Rozier declared the Public Hearing ended at 6:40 p.m.

S/Barbara B. Austin
Clerk of County Council

September 23, 2002
Date Approved

AGENDA FOR PUBLIC HEARINGS

A Public Hearing will be conducted in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., Monday, August 12, 2002, scheduled to begin at 6:00 p. m., to solicit public comment, written or oral, with respect to Bill No. **02-33**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Low Country Pines, LLC, off Old Dairy Road, Summerville, TMS #220-00-02-056 (11.5 acres), TMS #220-00-02-057 (47.8 acres), TMS #220-00-02-038 (19.6 acres), TMS #220-00-02-091 (6 acres), TMS #220-00-02-059 (18.97 acres), TMS #220-00-02-079 (2.04 acres), TMS #220-00-02-108 (1.02 acres), TMS #220-00-02-076 (1.02 acres), TMS #220-00-02-107 (1.02 acres), TMS #220-00-02-073 (1.98 acres), TMS #220-00-02-071 (1.92 acres), TMS #220-00-02-106 (1 acre), TMS #220-00-02-066 (1 acre), TMS #220-00-02-063 (1 acre), TMS #220-00-02-105 (1 acre), TMS #220-00-02-049 (1.92 acres), TMS #220-00-02-001 (1.57 acre portion of 5.2 acres total), TMS #220-00-02-115 (1 acre), TMS #220-00-02-041 (4.27 acres), TMS #220-00-02-088 (2 acres), TMS #220-00-02-040 (4.86 acres), TMS #220-00-02-036 (2.63 acres), TMS #220-00-02-035 (7.46 acres), and off Beagle Road, TMS #221-00-00-008 (10.2 acres), TMS #221-00-00-007 (2.93 acres), TMS #221-00-00-006 (7.25 acres), from F-1, Agricultural District, to HI, Heavy Industrial District. Council District No. 7.

CALL TO ORDER

STATEMENT OF PURPOSE OF HEARING

PUBLIC DISCUSSION

ADJOURNMENT

August 7, 2002
S/Barbara B. Austin
Clerk of County Council